

Remarks

Upon entry of the foregoing amendment, claims 1-14 and 17-22 are pending in the application, with claims 1, 8, 18, 19, and 20 being the independent claims. Claim 15 is sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Independent claims 1, 8, 18, and 19 have been amended in response to the current Office Action to incorporate the features of allowable claim 15. Dependent claims 5 and 12 have been amended to correct antecedent basis due to the amendments made to the respective independent claims from which they depend. Independent claim 20 has been amended according to the Examiner's recommendation. Claim 22 has also been amended to correct a minor informality. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

The current Office Action states on page 2 that claims 20-21 are rejected under 35 U.S.C. § 112, second paragraph. In this rejection, the Examiner points out an inadvertent mistake regarding antecedent basis and suggests an amendment to claim 20 to correct it. Applicants wish to thank the Examiner for bringing it to our attention. The suggested amendment is reflected in the amendment to claim 20 made herein. Therefore, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 102

On page 2, the current Office Action states that claims 1-3, 5-10, 12-14, 17-18, and 22 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,266,269 B1 to Karp *et al.* (hereinafter, "Karp"). In response to this rejection, independent claims 1, 8, and 18 have been amended herein to incorporate the features of allowable claim 15. Karp does not teach or suggest all of the claim elements of the newly amended independent claims. For example, Karp does not teach or suggest:

a capacitor having an oxide layer capable of passing direct gate tunneling current;

a write switch including ***a first switch transistor coupled between a first voltage and a first terminal of said capacitor and a second switch transistor coupled between a second voltage and a second terminal of said capacitor***, said first and second switch transistors each having a gate oxide layer that is thicker than said capacitor oxide layer so as to have a voltage tolerance higher than that of said capacitor oxide layer, wherein closing said first and second switch transistors causes application of a voltage across said capacitor oxide layer; and

a read switch including plural transistors coupled to said capacitor, each read switch transistor having a gate oxide layer that is thicker than said capacitor oxide layer so as to have a voltage tolerance higher than that of said capacitor oxide layer;

as claimed in amended independent claim 1 (emphasis added). Independent claims 8 and 18 have been similarly amended.

For at least the reasons stated above, Applicants believe that independent claims 1, 8, and 18, and the claims depending therefrom, are patentable. Therefore, Applicants respectfully request that these rejections be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 103

The current Office Action states on page 6 that claims 4, 11, and 19 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Karp in view of U.S. Patent Application

No. 2001/0022746 of Kim *et al.* (hereinafter, "Kim"). Regarding claims 4 and 11, neither Karp nor Kim, alone or in combination, teaches or suggests all of the claim elements of the corresponding independent claims 1 and 8, as exemplified above. Independent claim 19 has also been amended herein to incorporate the features of allowable claim 15. Neither Karp nor Kim, alone or in combination, teaches or suggests all of the claim elements of amended independent claim 19. For example, neither Karp nor Kim, alone or in combination, teaches or suggests:

a capacitor having an oxide layer capable of passing direct gate tunneling current;

a write switch including *a first switch transistor coupled between a first voltage and a first terminal of said capacitor and a second switch transistor coupled between a second voltage and a second terminal of said capacitor*, said first and second switch transistors each having a voltage tolerance higher than that of said capacitor, wherein closing said first and second switch transistors causes application of a voltage across said capacitor oxide layer; and

a read switch including plural transistors coupled to said capacitor, each read switch transistor having a voltage tolerance higher than that of said capacitor;

as claimed in amended independent claim 19 (emphasis added).

For at least the reasons stated above, Applicants believe that independent claims 1, 8, and 19, and the claims depending therefrom (which include claims 4 and 11), are patentable. Therefore, Applicants respectfully request that these rejections be reconsidered and withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn.

Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Donald J. Featherstone", written in a cursive style.

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1/13/04.

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